



## MINUTES

PLANNING AND ZONING COMMISSION  
Diamondhead, Mississippi  
Diamondhead City Hall Council Chambers  
March 22, 2016  
5:30 p.m. CST

1. Chairman Malley called the meeting to order at 5:31 p.m. CST.
2. Commissioner Hensley recited the Statement of Purpose.
3. Pledge of Allegiance was led by Commissioner Garrison.
4. Clerk Tammy Garber called roll- Present: Commissioners Bice, Garrison, Hensley, Malley, and Crosby. Absent: Commissioner Miller and Bower.

Also present: City Attorney Derek Cusick, Ron Jones Building Official and Minutes Clerk Tammy Garber.

**5. Confirmation of the Agenda**

Commissioner Hensley moved, seconded by Commissioner Garrison, to approve the agenda with Case File 2016-00008 tabled.

Ayes: Bice, Hensley, Crosby, Garrison and Malley. Nays: None. Absent: Miller and Bower.

**MOTION CARRIED UNANIMOUSLY**

- 6. Approve Minutes.** - Commissioner Malley moved, seconded by Commissioner Bice, to approve the Minutes of February 24, 2016 as presented.

Ayes: Bice, Hensley, Crosby, Garrison and Malley. Nays: None. Absent: Miller and Bower.

**MOTION CARRIED UNANIMOUSLY**

**7. New Business –**

**Case File Number 2016-00008**

Chairman Malley explained this Case File has been postponed until the April 26, 2016 meeting and advised that anyone who would like to speak at that meeting should be there. Chairman Malley also made a concession to hear public comments for those who cannot be at the April meeting and at this time.

Reid Parker, address is #3 Whispering Branch, which is directly across the street from proposed project spoke in opposition of the JCE Properties proposal.

Robert Harko, address is #2 Fox Trot presented and read a letter in opposition of the JCE Properties proposal.

Sharon Settle address is #6 Quail Creek spoke in opposition of the JCE Properties proposal.

Laura Colavita address is #6 Fox Trot spoke in opposition of the JCE Properties Proposal.

Wendy Hatchett address is #4 Fox Trot spoke in opposition of the JCE Properties Proposal.

Chairman Malley called for other public comments on the matter with none presented.

Commissioner Bice moved, seconded by Hensley to table the Case File Number 2016-00008.

Ayes: Bice, Hensley, Cosby and Malley. Nays: Garrison. Absent: Miller and Bower.

**MOTION CARRIED**

**• CASE FILE NUMBER 2016-00036**

Ted and Amy Longo have filed an application requesting 3 variances from the Zoning Ordinance (Article 4.18.3 D ii) to allow the construction of an outdoor kitchen totaling 576 sf; to construct an outdoor kitchen having a total height of 16.67'; and to construct a storage building totaling 432 sf.

The property address is 799 Ewa Street. The tax parcel number is 067R-2-36-029.000. The property is located west of and adjacent to Ewa Place and north of and adjacent to Ewa Street. The property is located in an R-2 zoning district. The maximum square feet of an accessory structure is 144 sf. The maximum height is 15'. The Case File Number is 201600036.

Jonathan Rush, contractor, presented proposed variance request and answered questions from the commissioners. At this time Commissioner Malley ask if anyone had any questions or comments to be presented in reference to variance request. Howard Behncostel (neighbor of this property) spoke in opposition of the variance request.

Commissioner Bice moved, seconded by Commissioner Crosby to approve the variance in the matter of Case File Number 2016-00036 as requested.

Ayes: Bice, Hensley, Cosby and Malley. Nays: Garrison. Absent: Miller and Bower.

**MOTION CARRIED**

**CASE FILE NUMBER 2016-00037**

Chad and Sarah Badeaux has filed an application requesting a rear yard variance from the Zoning Ordinance (Article 4.5.6 E ii) to allow the construction of a covered patio within 8' of the northwest property line.

The property address is 68233 Diamondhead Drive East. The tax parcel number is 067R-1-36-075.000. The property is located west of and adjacent to Diamondhead Drive East and north of and adjacent to Aumoae Court. The property is located in an R-2 zoning district. The rear yard setback required is 20'. The Case File Number is 201600037.

Sarah Badeaux presented proposed variance request and answered questions from the commissioners with no objections from the public.

Al Corbin, adjacent property owner, spoke in favor of the variance request.

Commissioner Garrison moved, seconded by Commissioner Bice to approve the variance in the matter of Case File Number 2016-00037 as requested.

Ayes: Bice, Hensley, Cosby, Garrison and Malley. Nays: None. Absent: Miller and Bower.

**MOTION CARRIED UNANIMOUSLY**

**8. Unfinished Business Open Public Comments to Non-Agenda items –None**

**9. Commissioners' Comments – None**

**10. Communication / Announcements.**

Chairman Malley announced his resignation as Planning and Zoning Commissioner effective immediately following this meeting.


Ron Jones announced there will be 3 cases next month. The JCE Properties and 2 cases for variance request.

**11. Adjourn -** Commissioner Hensley moved, seconded by Commissioner Bice, to adjourn at approximately 6:27 p.m. CST. .

A roll call vote was taken as follows:

Ayes: Bice, Hensley, Cosby, Garrison and Malley. Nays: None. Absent: Miller and Bower.

**MOTION CARRIED UNANIMOUSLY**



David Malley, Chairman  
Planning & Zoning  
City of Diamondhead, MS